

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
INTER-OFFICE MEMO**

February 11, 2011

TO: Rosemary Booth Gallogly

DEPT: Department of Administration

FROM: Walter Craddock, Esq. Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Thursday, February 10, 2011. Board members: Walter Craddock, Esq., Dennis Gerstmeyer, James Botvin, and Sgt. David Doucet of the Rhode Island State Police.

Also be advised the following people were present during the hearing: Michael Vispo

Absent: Marcy Coleman, Esq., Division of Legal Services and Thomas Celona.

MEETING OF FEBRUARY 10, 2011 AT 9:00 AM AT THE

**DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE
ROOM,**

600 NEW LONDON AVENUE, CRANSTON, RI 02920

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE: JANUARY
20, 2011
BOARD HEARING.**

The minutes have been reviewed and accepted by the board

**2. PAUL MASSE BUICK GMC SOUTH, INC. (Paul R. Masse, Pres. /
John Pariseault, Esq.).**

FIRST APPLICATION – CASE # KR-11-025

**TO DEAL IN NEW BUICK CARS & GMC TRUCKS AND USED MOTOR
VEHICLES**

AT: 2909 TOWER HILL ROAD, SOUTH KINGSTOWN, RI 02879

**Decision: The application has been approved and 12 plates have
been granted. The Board has also granted permission for a trailer to
be used as a temporary office on the dealership location until August
31,2011 when renovations are to be completed on the existing
building. The Board must be informed in writing of any delays.**

3. ELI TIRE SALES, INC. d/b/a LEO AUTO SALES AND TIRE (Elias

Ayoub, Pres.)

FIRST APPLICATION – CASE # KR-11-019

TO DEAL IN USED MOTOR VEHICLES ONLY

AT: 1791 ELMWOOD AVENUE, WARWICK, RI 02888

**The hearing has been postponed at the request of the applicant,
Elias Ayoub.**

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**4. DEALERS' LICENSE & REGULATIONS OFFICE V. P & J AUTO
SALES (Phillip B. Castelli, Pres.)**

SHOW CAUSE HEARING – CASE # DS-1-11

Sgt. David Doucet recused himself from this hearing.

**Decision: The Board has determined P & J Auto Sales is in the
violation of the following Rhode Island General Laws and is required
to pay the amounts listed below, which totals \$200.00, to Rhode
Island Dealers License and Regulations Office within 10 days of
receiving the formal decision.**

Fine: \$100.00: Violation of RI General Laws §31-5-11(10): Having indulged in unconscionable business practices relating to doing business as a motor vehicle dealer.

Fine: \$100.00: Violation of RI General Laws §31-3-20 (a): Unauthorized use of a dealer plate.

5. DOMINGO GOMES V STAMA'S AUTO AND TRUCK CENTER INC. (Leon G. Stamas, Pres.)

**COMPLAINT / SHOW CAUSE HEARING – CASE # DS-10-269
1ST RESCHEDULED HEARING**

Decision: The Board has determined that 30 day warranty had expired prior to the warning light appearing invalidating the claim against the dealer.

**6. TASCA AUTOMOTIVE GROUP (Robert F. Tasca, Jr. Pres.)
SHOW CAUSE HEARING – CASE # DS-1-2011**

Decision: The Board has determined Tacsca Automotive Group is in the violation of the following Rhode Island Rules and Regulations and is required to pay the amount listed below, which totals \$500.00, to the Rhode Island Dealers License and Regulations Office within 10 days of receiving the formal decision.

**Fine: \$500.00: Violation of RI Rules and Regulations Section VI(Q):
Display of vehicle at a location other than the dealership with out
prior approval from the board.**

**7. LETTER FROM JOHN HARWOOD, ESQ. REQUESTING TO
ADDRESS THE BOARD IN REGARDS TO HIS CLIENT ASPEN AUTO
SALES, WHICH WAS MARKED OUT OF BUSINESS ON JULY 3, 2009.
– CASE # DS-1-2011**

**Decision: The Board has denied the request made on behalf of his
client by John Harwood Esq.**

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8. LETTER FROM SETH ADAM PERLMUTTER, ESQ. REQUESTING A HEARING FOR HIS CLIENT RHODE ISLAND AUTOMOTIVE SALES & SERVICE (Robert J. Garrin, Partner)

NOT IN HIS PLACE OF BUSINESS – CASE # DS-1-2011

Decision: The Board has tabled this matter to allow the dealership to resubmit his renewal application, submit copies of bills of sales for the 40 vehicles the dealer testified he sold in 2010 and documentation as to the origin of the vehicles that were sold.

9. LETTER FROM RAFFAELE GIACOVONE, THE GENERAL MANAGER OF INSKIP AUDI, REQUEST PERMISSION TO DISPLAY VEHICLES AT THE DUNKIN DONUTS CENTER IN PROVIDENCE ON FEBRUARY 17, 19, 23 AND MARCH 5, 2011.

Decision: The Board has approved the request to display vehicles on requested dates at the Dunkin Donuts Center. No sales or salesmen are allowed.

Walter Craddock, Esq. Chairman

Cc: John DiTomasso, Assistant Administrator, DMV

Michael Vispo, Manager DMV

Marcy Coleman, Esq., Division of Legal Services, DOA

File